

**Spencer Town Council Regular Meeting
September 6th at 7p.m.
Municipal Building
90 N. West Street
Spencer, IN 47460**

Board Members present: John Stantz, Dean Bruce, and Cynthia Hyde

Also present: Town Attorney Richard Lorenz, Clerk-Treasurer Cheryl Moke, Sewage Dept. Supt. Shelley Edwards, Town Marshal Richard Foutch, Jim Baughn, Mike Stanley, and Tyler McGowan with GRW Engineering

MEETING WAS OPENED WITH THE PLEDGE TO THE AMERICAN FLAG

IN THE MATTER OF APPROVAL OF MINUTES FOR August 15, 2011 REGULAR MEETING

Cynthia Hyde motioned to approve the minutes as written, seconded by Jon Stantz, the motion passed 3-0.

IN THE MATTER OF PUBLIC ISSUES

Cindy White, from the Spencer Chapter of the Moose Lodge requested approval of a temporary permit to serve alcohol in a beer garden during the Apple Butter Festival to be held September 16-18, 2011.

Jon Stantz motioned to allow the sale of alcohol by the Spencer Moose Lodge at an outdoor beer garden during the hours of 4pm-10pm on Sept. 16th, 10am-10pm on September 17th, and 10a.m to 4p.m. on September 19th. The motion was seconded by Cynthia Hyde, and passed 3-0.

Next Paul Ault stated that a stake was removed from his property when the street department did work around his property located at 60 S. Park. He stated it was removed in 2006. He also stated this has occurred in the past, but he was always able to replace it in the same spot. This time, he said, the trenching went too deep for him to locate the correct spot. Jon Stantz advised him to replace the stake to the best of his ability.

Greg Melton of Scrappers, Inc. stated that the IDEM conducted an inspection of their operations last week, and no violations were found. He also state that they applied for a permit to install an eight-foot fence around the yard.

IN THE MATTER OF THE TOWN ATTORNEY

Richard Lorenz presented an ordinance to adopt the IRS mileage rate for the Town of Spencer.

Cynthia Hyde motioned to approve the ordinance (2011- TBD) for the adoption of the IRS mileage rate. It was seconded by Dean Bruce and passed 3-0.

Next, Richard Lorenz presented the revised ordinance for sewer adjustments for approval. This had been presented in the past, but there was no record that it had been approved at a town meeting. The revision pertains to the 45 day adjustment period for requesting an adjustment.

Jon Stantz made a motion to approve the amendment to Ordinance (TBD) relating to the adjustment of sewer bills for pools, seconded by Dean Bruce. The motion passed 3-0.

Richard Lorenz then discussed the agreements to acquire the properties to the west of CVS, owned by Mel Kline and Rosemary Evans. Documents have been signed and are under review by the Dept of Transportation. The Board will need to sign the documents in order to make the conveyance.

Jon Stantz made a motion to sign said documents, the motion was seconded by Cynthia Hyde and the motion passed 3-0.

Richard Lorenz also said he was working on settling a contract with a sign company, and will take the necessary actions within the next few days to meet the deadline for completing the necessary paperwork of September 21st. Also he stated that he would redo the contract with IDOT to update the timing of events.

IN THE MATTER OF THE BUILDING DEPARTMENT

Dean Bruce stated that he received the punchlist of items the owners would like to repair. He will meet with Bob Bandy to go over the list with him. Richard Lorenz said the list should be formally approved.

IN THE MATTER OF THE POLICE DEPARTMENT

Marshal Foutch stated that Law Enforcement will be serving as the Grand Marshalls of the Apple Butter Festival. Richard Foutch also presented the event registration on behalf of the Spencer Lions Club for the Apple Butter Festival to be held on September 17th, 18th, and 19th for approval.

Jon Stantz made a motion to approve Event Registration Permit no. 11-98 for the festival. The motion was seconded by Cynthia Hyde and passed 3-0.

IN THE MATTER OF THE SEWER DEPARTMENT

Jon Stantz made a motion to approve the following sewer adjustments. The motion was seconded by Cynthia and passed 3-0.

Hero/Fugate	\$119.26
Belinda Lane	83.40
Mike Stanley	66.72
Crystal Swinehart	25.02
Loretta White	233.52

The sewer adjustment requested by Lowell Sadler was denied because it did not meet the requirements.

IN THE MATTER OF THE FIRE TERRITORY

There was nothing to report.

IN THE MATTER OF THE TIVOLI PROJECT

Jon made a motion to approve authorization of the Town of Spencer/Tivoli in-kind donation request in the amount of \$19,908.03. Dean Bruce seconded the motion and it passed 3-0.

IN THE MATTER OF THE DR-2 CLOSEOUT PAYMENT APPLICATION

Tyler McGowan reported that they have substantially completed the East Street Storm Sewer Project. He presented the following three documents for approval:

Change order #2 for a savings of \$427.85

Jon Stantz moved to approve, seconded by Dean Bruce and it passed 3-0.

Pay application #4 in the amount of \$108,757.18

Jon Stantz moved to approve, seconded by Dean Bruce and it passed 3-0.

Certificate of Substantial Completion

Jon Stantz moved to approve, seconded by Cynthia Hyde and it passed 3-0.

IN THE MATTER OF THE PLANNING COMMISSION

A letter of resignation was submitted by Jack Simmerman.

Dean Bruce made a motion to accept Jack Simmerman’s resignation from the Planning Commission. Jon Stantz seconded the motion and it carried 3-0.

IN THE MATTER OF CLAIMS

Jon Stantz motioned to accept claims as presented, seconded by Cynthia Hyde and the motion passed 3-0.

IN THE MATTER OF ADJOURNMENT

Jon Stantz motioned to adjourn, seconded by Dean Bruce and the motion passed 3-0.

_____ Jon Stantz, President	_____ Dean Bruce, Vice-President	_____ Cynthia Hyde, Board Member
--------------------------------	-------------------------------------	-------------------------------------

Attest: _____
Cheryl Moke, Clerk-Treasurer